

UNITED STATES DISTRICT COURT  
for the  
Eastern District of Michigan

4

United States of America

v.

Andrzej Rebilas aka Andres Rebilas

Case:2:19-mj-30563  
Judge: Unassigned,  
Filed: 10-28-2019 At 10:10 AM  
USA V. REBILAS (LH)

CRIMINAL COMPLAINT

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of October 23, 2019 in the county of Wayne in the  
Eastern District of Michigan, the defendant(s) violated:

*Code Section*

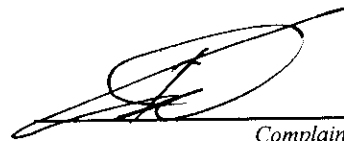
8 USC 1325(a)

*Offense Description*

Being an alien that entered the United States by knowingly eluding examination and inspection by immigration officers; and willfully concealed a material fact in order to gain entry into the United States on October 23, 2019.

This criminal complaint is based on these facts:

☒ Continued on the attached sheet.



*Complainant's signature*

Kristopher A. Mead, CBP Enforcement Officer

*Printed name and title*

Sworn to before me and signed in my presence.

Date: October 28, 2019

City and state: Detroit, Michigan



*Judge's signature*

Mona K. Majzoub, U.S. Magistrate Judge

*Printed name and title*

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF MICHIGAN**

**IN RE: REBILAS, Andrzej**

**AFFIDAVIT**

The affiant being duly deposed and sworn states:

1. I, Kristopher A. Mead, am an Enforcement Officer with the Department of Homeland Security, Customs and Border Protection, and have been employed with the same for over sixteen years, of which the last five years I was a Task Force Officer with Homeland Security Investigations. During my career as a law enforcement officer, I have been involved in various investigations and arrests concerning alien smuggling, immigration fraud, and false statements, and I have received training in these areas. This affidavit is submitted in support of a finding of probable cause and is a summary of information known to law enforcement personnel, other civilian witnesses, and me from personal knowledge.
2. On October 23<sup>rd</sup>, 2019 at approximately 2:30 pm at the Detroit Fort Street Cargo Facility in Detroit, Michigan, Customs and Border Protection Officers (CBPO) had encountered a white 2015 Freightliner truck bearing New York plate "47648PC", which was hauling a double trailer bearing Maine plate "B635970". This truck was driven by Kyle Manthe, who was the sole occupant in the passenger cabin of the truck. Supervisory CBPO T. Silmi approached the truck in the pre-primary area and asked the driver if he was by himself, to which Manthe responded positively, and then was directed to stay in the lane as he was selected to be scanned by x-ray. Pre-primary is the area at the Port-Of-Entry where vehicles line up in separate lanes and wait to be inspected by CBP Officers.

3. CBPO C. Kerby was operating the x-ray and noticed an anomaly that resembled a sitting person in the front passenger side of the trailer driven by Manthe. See figure 1. CBPO C. Kerby was the first to respond to the trailer and opened the door, which faces the front of the truck, and saw a person tucked in the storage space of the soft side trailer between the commodity and the front wall. The person was later identified as Andrzej Rebilas.

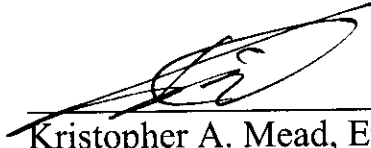
Figure 1



4. Database queries and a review of his identity documents reveal that Rebilas is a citizen and national of Poland, who has been granted voluntary departure by an Immigration Judge in 1998 and has had two visa applications denied by the U. S. Consulate in 2011 and 2019, both at the U.S. Embassy in Krakow, Poland.
5. During a post-*Miranda* interview of Rebilas, translated from Polish to English and back to Polish through the use of a translator, he admitted to approaching Manthe at a truck stop in Canada to give him a ride to Chicago. Rebilas stated Manthe asked him if he was the police and Rebilas showed him his Polish passport, to which Manthe replied that he'd take him. Rebilas stated he paid Manthe \$1,500 United States dollars and entered the trailer door nearest the cab of the truck.
6. During a search of Manthe, \$1,500 USD was discovered in his underwear by SCBPO T. Silmi. The currency, all hundred dollar bills, had serial numbers in

sequential order that were in order to the bills of the \$3,500 USD that Rebilas had on him.

7. On October 24, 2019, information received from the trucking company, Ficiel Transport, revealed that Manthe spoke to the company dispatcher that morning and stated "he had made a mistake" because "a guy offered him cash to bring him to the United States from Canada." Later that day Manthe also spoke to the company's president, M. Celani, and two other executives on a conference call and stated he was approached by a Polish guy who asked if Manthe would bring him to the United States for \$3,000. Manthe said the man told him his visa was expired. The man gave him \$1,500 and he would give him another \$1,500 after he arrived in the United States.
8. Therefore, based upon the aforementioned facts, I have probable cause to believe the defendant, Andrzej Rebilas, had knowingly eluded examination or inspection by immigration officers; and willfully concealed a material fact in order to gain entry into the United States, in violation of Title 8 United States Code, Section 1325(a)(2) and (3).



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Kristopher A. Mead, Enforcement Officer  
U.S. Customs and Border Protection

Subscribed and sworn before me  
This 28<sup>th</sup> day of October 2019



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Mona K. Majzoub  
United States Magistrate Judge